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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,557	07/08/2003	Saturo Yamada	JP919970025US2(RE) (8728-	8603
7590 04/06/2005 F. Chau & Associates,LLP 1900 Hempstead Turnpike, Suite 501 East Meadow, NY 11554			EXAMINER KUMAR, SRILAKSHMI K	
			ART UNIT 2675	PAPER NUMBER

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/615,557

Applicant(s)

YAMADA ET AL.

Examiner

Srilakshmi K. Kumar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 and 14 is/are allowed.
- 6) ☒ Claim(s) 9-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The following is in response to the filed amendment, dated September 28, 2004. Claims 1-14 are pending with claims 1-8, previously allowed. Claim 14 is amended. Claims 9-13 remain in original form.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siddiqui et al (US 6,097,371).

As to independent claims 9 and 13, Siddiqui et al disclose an information processing apparatus, comprising; an information processing system (col. 1, lines 12-30). Siddiqui et al disclose a pointing device (Fig. 1, item 101, col. 6, lines 63-col. 7, lines 11), (three buttons) a left button, a right button (Fig. 1, items 104 and 105), and a middle button (Fig. 1, item 106 wherein the wheel of Siddiqui et al reads on a button since in col. 7, lines 1-17, Siddiqui et al discloses that the center wheel is depressed as a button);

Siddiqui et al disclose a graphical user interface cooperating with said information processing system to display a cursor at a coordinate position on the display designated by manipulation of the pointing device and to control system functions (col. 7, lines 18-26).

Siddiqui et al do not expressly state the features of wherein the pointing device, three buttons and said graphical user interface cooperate to activate a software program associated

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with a selected displayed icon when the left button is depressed. However, Examiner takes Official Notice that the features of wherein the pointing device, three buttons and said graphical user interface cooperate to activate a software program associated with a selected displayed icon when the left button is depressed are well known in the conventional computer mouse art. It would have been obvious to one of ordinary skill in the art to include the feature of where the pointing device, three buttons and said graphical user interface cooperate to activate a software program associated with a selected displayed icon when the left button is depressed in order to implement and navigate within software programs by the user and enhance user convenience.

Siddiqui et al do not expressly state where depressing the left button activates a software program associated with a selected displayed icon and where depressing the right button displays software program characteristics. However, Examiner takes Official Notice that the features of where there are two buttons when depressed, the buttons would activate a software program associated with a selected displayed icon and display software program characteristics are well known in conventional computer mouse art. It would have been obvious to one of ordinary skill in the art to include feature of where there are two buttons when depressed, the buttons would activate a software program associated with a selected displayed icon and display software program characteristics in order to implement and navigate within software programs by the user and enhance user convenience.

Siddiqui et al disclose scrolling within a displayed window by manipulation of the pointing device when the middle button is depressed (col. 8, lines 35-60).

As to dependent claim 10, limitations of claim 9, and further comprising, Siddiqui et al disclose an information processing system in the form of a computer, display, keyboard and

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computer mouse (col. 1, lines 12-30). Siddiqui et al do not disclose where the computer is that of a notebook computer. However, Examiner takes Official Notice that notebook computers are well known in the art of computers. It would have been obvious to one of ordinary skill in the art to replace a desktop computer with a notebook computer in order to allow for portability of the computer system, thus enhancing user convenience.

As to dependent claim 11, limitations of claim 9, further comprising, wherein the third button is disposed between the first and second buttons (Fig. 1, item 106).

As to dependent claim 12, limitations of claim 9, wherein a scroll message is originated upon depression of the third button (Fig. 11a, item 282 and Fig. 11b, item 282, col. 21, lines 3-44).

Response to Arguments

3. Applicant's arguments, see page 8 of Remarks, filed September 28, 2004, with respect to the rejection(s) of claim(s) 9-13 under 35 USC 112, first paragraph, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Siddiqui et al, as shown above.

With respect to amended claim 14; see allowable subject matter, below.

Allowable Subject Matter

4. Claims 1-8 and 14 are allowed.

5. The following is an examiner's statement of reasons for allowance:

With respect to claims 1, 3, 7, 8 and 14, the prior art of record does not disclose an information apparatus having a mouse cursor display function, where the scrolling speed display means for displaying a number of speed indicators during scrolling, the number of displayed

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speed indicators corresponding to a relative scrolling speed set by said pointing device while scrolling data on said display screen and arranging the speed indicators in a scrolling direction relative to a center of said mouse cursor.

Applicant illustrates in Fig. 6c, the state where the number of displayed speed indicators is changed step by step. The overall scroll period increases, and the scroll speed increases from low to middle to high speed in the downward, upward, left and right directions relative to the initial centrally located display, and where the number of speed indicators is increased to one, to two and to three. Also, as applicant indicates in the specification, while all four directions are shown in Fig. 6c, only the speed indicator corresponding to the current scrolling direction (and in a quantity corresponding to the scrolling speed) will actually appear on the desktop. This embodiment is shown in Fig. 7.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 571 272 7769. The examiner can normally be reached on 10:00 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on 571 272 3638. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Srilakshmi K. Kumar
Examiner
Art Unit 2675

SKK
March 30, 2005


SUMATI LEFKOWITZ
PRIMARY EXAMINER